

MINUTES OF SPECIAL SESSION  
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,  
HELD THURSDAY, MARCH 31, 2016

The Honorable Council of the City of Huntsville, Alabama, met in Special Session on Thursday, March 31, 2016, at 5:30 p.m., in the Council Chambers of the Municipal Building, there being present:

President:	Culver
Councilpersons Present:	Russell, Robinson, Kling
Absent :	Showers
City Administrator:	Hamilton
City Attorney:	Riley
City Clerk-Treasurer:	Benion

President Culver called the Special Session of the Council to order, stating that he had called the meeting in order to consider the approval of a Special Event Retail Alcoholic Beverage License and to consider the approval of a lease agreement between the City of Huntsville, Alabama, and Tangled String Studios, LLC.

President Culver moved for approval of a Special Event Retail Alcoholic Beverage license for Tangled String Studios, LLC, for an event called "Springfest," at 2606 Clinton Avenue West, the Butler Green Event Space, scheduled for April 16, 2016, which motion was duly seconded by Councilman Kling.

President Culver recognized Mr. John Hamilton, City Administrator.

Mr. Hamilton thanked the Council for calling this Special Session in order to consider this action. He stated that the two items on the agenda were linked to each other, that one would not be relevant without the other. He continued that his comments would be intended to address both items.

Mr. Hamilton stated that the actions themselves were fairly routine, noting that the Council at the prior Council meeting had approved a similar lease for a park space for a similar type of event, that these were things that came before the Council from time to time for special events. He continued that what was not routine was the fact that they had needed to have a Special Session called in order to address this matter.

Mr. Hamilton stated that he would first explain why this had been necessary. He stated that as they had gone through the process of getting the subject park open and the time line had shifted a few times, and they were also working through exactly how it could be used, there was certainly some confusion and some things that had caused some delays, just in the overall processing of the request. He stated that, additionally, Yellowhammer Brewing had opened adjacent to this space. He stated that initially Yellowhammer had started the paperwork and started the process for these requests. He continued that some of this had been based on an understanding of what they would be able to do under State law relative to

their particular alcohol license and the way the space would be used.

Mr. Hamilton stated that the Legislature had taken action that affected the way breweries would be able to operate, and this would take effect later in the year. He continued that this law would not take effect soon enough to affect this matter, nor did it address some of the specific issues they had concerning breweries being able to use this space.

Mr. Hamilton stated that going through the process of getting this paperwork in place and getting the lease in place, they had determined that they actually had to pull it back and a different entity had to submit the paperwork and become the host for this event. He continued that this was the same request they had started with, but that a different entity had to, for legal reasons, be the actual host for the event, so that their paperwork had to be restarted. He stated that, unfortunately, this delay in the process had gotten it out of line with when the routine meetings occurred, for the review committees and ultimately the City Council meeting. He continued that in a perfect world, the Council would have been able to consider this matter at the prior Council meeting, and it would have been fine. He stated that, however, this Special Session had to be called because they just were not ready by the time of the prior meeting, and the next meeting would not occur soon enough to be able to get this matter to the State.

Mr. Hamilton stated that once the Council approved this at this time, assuming that they did, and noting that they were recommending that they do so, then there was a process to go through with the State ABC in order to get their final approvals in place for the event on April 16. He stated that they recognized this was an inconvenience for the Council, and that they tried to avoid Special Sessions having to be called as much as possible. He reiterated that it was necessary to ask the Council to accelerate this process in order to give this entity time to work with the State agencies in order to be able to hold the event.

Mr. Hamilton stated that the event was a special event that had been going on for a couple of years, and that previously Yellowhammer had conducted it on their property, at their old location. He continued that since it had been held on their property, the Council had not had to consider a Special Event permit. He stated that at this time they were doing exactly what the City wanted to see happen in the community now that they had moved to the new location, being to use the park and be able to expand the event and make it a good special event for a broader audience. He stated that, however, since it would now be out on this public space, it required the lease of the space, very much like at the prior Council meeting when the Council had approved a lease for a special event in John Hunt Park.

Mr. Hamilton stated that the alcohol license would allow

them to have alcohol at this event in the park. He continued that there were some pretty strict rules involving the way they had to control access into the park, et cetera, because of the liquor license, and that all the entities the City and the State had involved in monitoring this would be involved in this process, to make sure that they operated in accordance with the license and lease the Council would approve, and that ultimately the State would also approve.

President Culver asked that the record reflect that all Council members were present with the exception of Councilman Showers, Councilman for District 1.

President Culver asked if there was any discussion by the Council members of the above motion.

President Culver recognized Councilman Kling.

Councilman Kling stated that he saw on the application form that it said, "Are you familiar with the City of Huntsville noise ordinance?" He continued that while there would be music at this event, and persona would be having a good time, it was not going to be a major blowout for the adjacent neighborhoods. He continued that this was something they would be aware of since it was checked on the application.

Mr. Hamilton stated that this event was one that would be representative of the types of events that would take place on Butler Green in the future. He stated that they had contemplated this in the design of the park, and that where the stage was located, it would induce the bands to actually face

away from the neighborhood, so that the broadcast of music, et cetera, would actually be away from the neighborhood and toward the more industrial area, across Clinton Avenue. He stated that they had also put all the parking in the rear, so that there was that additional distance buffer between the park area and the neighborhood behind. He continued that this was something they were aware they had to be sensitive to, very similar to some of the things that might occur in Big Spring Park and noise to some of the downtown neighborhoods, He stated that this was something of which they were going to have to remain cognizant. He stated that he believed everyone had put the right effort into doing what they could to make sure this was managed properly.

Councilman Kling stated that one of the things they had done at the beginning, when this park concept was being looked into, was that they were cognizant of the concerns that had been expressed by the neighborhoods about an amphitheater, and that downsizing from an amphitheater to this space had certainly seemed to be good. He continued that he was very optimistic that this was going to be a great event, and that it would be the first of several events that would take place there, and that he believed it would be a great attraction for that part of the community.

President Culver asked if there was any further discussion of the above motion.

President Culver recognized Councilman Russell.

Councilman Russell requested that the public be allowed to comment on this matter.

President Culver asked if first there was any further discussion from Council members.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson asked Mr. Hamilton if there was anything that had been learned from this to make certain they did not have something like this slip in the future.

Mr. Hamilton replied in the affirmative. He stated that a lot of it tied to just making certain they all had a better understanding of what was in the State law relative to the licenses that the brewers carried. He stated that, as he had mentioned, the State Legislature had taken action in its current session to make some changes, and that they believed there were additional changes that the Legislature needed to contemplate. He continued that this was something they would work on with the people they had working with the Legislature in Montgomery, noting that most likely in the next Legislative session, they would ask them to contemplate some additional changes to get greater flexibility and to get greater clarity as to exactly how the brewers could operate.

Mr. Hamilton stated that with the changes the Legislature had recently passed, to take effect later in the summer, that although they would still carry a manufacturer's license, they would allow them to do a certain amount of retail. He continued that there were some restrictions around this in

terms of quantities, et cetera. He stated that it essentially put them in both a manufacturing and a retail role, but that there was still not sufficient clarity as to how that retail type business affected the way they could function in an Entertainment District. He stated that where they believed they would in the future contemplate creating other Entertainment Districts, as well as some of the existing Entertainment Districts that had, or in the future would have, breweries, it still put restrictions around them that they did not believe were favorable to the way the District operated. He continued that they were going to ask the Legislature to kind of clean this up. He stated that this was a discussion for the future, that there was still more work to be done. He stated that it would be making sure that they really understood the distinction between the brewers' licenses and how they could function in the park versus others.

Councilwoman Robinson stated that at least at this point, it was raising a red flag for the staff to be aware of some issues that might pertain to this.

Mr. Hamilton stated that that was correct.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver asked if there was any further discussion from the Council members.



There was no response.

President Culver called for the vote on the above motion, and it was unanimously approved by the Council members present.

President Culver read and introduced a resolution authorizing the Mayor to enter into a lease agreement between the City of Huntsville, Alabama, and Tangled String Studios, LLC, for 2606 Clinton Avenue West, the Butler Green Event Space, for an event called "Springfest," as follows:

(RESOLUTION NO. 16-249)

President Culver moved for approval of the above resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

President Culver asked if there was any other business to come before the Council.

There was no response.

Upon motion, duly seconded, it was voted to adjourn.

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PRESIDENT OF THE CITY COUNCIL

ATTEST:

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CITY CLERK-TREASURER